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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No. 08-01789 (SMB)

Plaintiff-Applicant,

SIPA LIQUIDATION

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

(Substantively Consolidated)

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-04470 (SMB)

Plaintiff,

v.

THE SILNA FAMILY INTER VIVOS TRUST,
OZZIE SILNA, in his individual capacity and as
trustee for the Silna Family Inter Vivos Trust,
SPENCER A. SILNA, SAMANTHA SILNA, and

SOPHIE H. SILNA,

Defendants.

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITHOUT PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants The Silna Family Inter Vivos Trust, Ozzie Silna, in his individual capacity and as trustee for the Silna Family Inter Vivos Trust, Spencer A. Silna, Samantha Silna, and Sophie H. Silna, (“Defendants”), by and through their counsel, Wachtel Missry (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On November 30, 2010, the Trustee filed the Complaint against The Silna Family Inter Vivos Trust, Ozzie Silna, Spencer A. Silna, Samantha Silna, and Sophie H. Silna. The Complaint was served on February 2, 2011.
2. On September 17, 2015, The Silna Family Inter Vivos Trust, Ozzie Silna, Spencer A. Silna, Samantha Silna, and Sophie H. Silna filed and served an answer on the Trustee.
3. On January 29, 2016, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].
4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal without prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding and dismissing the adversary proceeding.
5. The provisions of this Stipulation shall be binding upon and shall inure to the

benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: February 2, 2016

BAKER & HOSTETLER LLP

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*Attorneys for Defendants the Silna Family Inter
Vivos Trust, Ozzie Silna, Spencer A. Silna,
Samantha Silna, and Sophie H. Silna*

SO ORDERED

Dated: February 2nd, 2016
New York, New York

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE